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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,425	02/15/2002	Tena Youngblood	TY0201US	3573
22849	7590	06/17/2003		
SCOTT W HEWETT 400 WEST THIRD STREET #223 SANTA ROSA, CA 95401			EXAMINER	
			LEE, BENJAMIN C	
			ART UNIT	PAPER NUMBER
			2632	
DATE MAILED: 06/17/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/077,425	YOUNGBLOOD, TENA
	Examiner	Art Unit
	Benjamin C. Lee	2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 15 April 2002.

2a) This action is **FINAL**.                                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 15 April 2002 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 7-8, 11 and 13-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. (US pat. #5,155,474) in view of Papineau (US pat. #4,943,799).

1) In considering claim 1:

a) Park et al. disclosed the claimed portable motion-sensing light (Figs. 1 & 3) comprising a housing (16); a sensor (10) mounted on the housing and electrically coupled to a control circuit (66) coupled to a lamp socket (sockets for lamp 18, 20 in Fig. 1) configured to accept a light bulb; and an electrical power plug (58) configured to provide electrical power to the portable motion-sensing light when the electrical plug is plugged into an electrical socket (col. 4, lines 64-67 and col. 5, lines 41-50; Figs. 2-3);

while:

b) Papineau disclosed the use of a power cord with an electrical plug on an end of the power cord for providing electrical power to a motion-sensing alarm when the plug is plugged into an electrical socket (31 of Figs. 3-4 and Abstract).

In view of the teachings by Park et al. and Papineau, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention when mounting a device such as taught by Park et al. to a wall surface that is displaced from an available electrical outlet socket, a

conventional power cord, such as the one used by Papineau, can be used by the mains plug for connection to the outlet socket for providing AC power.

2) In considering claims 7-8, Park et al. and Papineau made obvious all of the claimed subject matter as in claim 1, including:

--claimed means for mounting the light on a support structure, including a mounting member on a back of the motion sensing light (16 and 36 in Fig. 1 of Park et al.)

3) In considering claim 11, Park et al. and Papineau made obvious all of the claimed subject matter as in the consideration of claim 1.

4) In considering claims 13-15, Park et al. and Papineau made obvious all of the claimed subject matter as in claim 11, including:

--the claimed removable and re-mountable/re-pluggable capability is met by the reusable mounting shown in Fig. 1 of Park et al. and the use of a power cord plug as established in the consideration of claim 1/11 above.

3. **Claims 2-5 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. in view of Papineau, Ferraro (US pat. #5,818,338) and Rodhall et al. (US pat. #5,463,595).

2) In considering claims 2-4, Park et al. and Papineau made obvious all of the claimed subject matter as in claim 1, while:

Ferraro teaches that motion-actuated lights can be mounted outdoors (Fig. 1 and col. 1, lines 16-20), and Rodhall et al. teaches the use of a watertight housing for an outdoor motion-sensing device, so that circuit and electrical connections from a power cord are within a sealed housing, including the use of welding between first and second housing portions (Abstract; col. 4, lines 10-13 & 30-41; and col. 5, lines 15-19).

In view of the teachings by Park et al., Papineau, Ferraro and Rodhall et al., it would have been obvious to one of ordinary skill in the art at the time of the claimed invention that a motion-actuated light such as taught by Park et al. and Papineau can be mounted outdoors such as taught by Ferraro, and in such case that a watertight, sealed housing should be used such as taught by Rodhall et al. to protect the device and its components from the elements.

3) In considering claim 5, Park et al., Papineau, Ferraro and Rodhall et al. made obvious all of the claimed subject matter as in claim 3, wherein:

--It would have been obvious to one of ordinary skill in the art at the time of the claimed invention that sealing of (first and second) housing portions to provide a sealed housing for a device such as taught by Park et al., Papineau, Ferraro and Rodhall et al. can be done using conventional sealing means such as an adhesive sealant.

4) In considering claim 12, Park et al. and Papineau made obvious all of the claimed subject matter as in claim 11, plus the consideration of claim 2 above in view of Ferraro and Rodhall et al.

4. **Claims 6 and 9-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. in view of Papineau, Ferraro, Rodhall et al. and Crane et al. (US pat. #4,890,318).

1) In considering claims 6, Park et al. and Papineau made obvious all of the claimed subject matter as in claim 1, plus the consideration of claims 2-3 in view of Ferraro and Rodhall et al. for providing a watertight, sealed housing for outdoor use, wherein:

a) Rodall et al. teaches sealing the power plug entry (col. 5, lines 15-17);  
b) Crane et al. further teaches the known use of closed-cell foam within the housing around entry points to provide sealing of the internal components from the environment (col. 5,

lines 3-11). It would have been obvious to one of ordinary skill in the art at the time of the claimed invention that in providing a water-tight, sealed housing in a device such as taught by Park et al, Papineau, Ferraro and Rodhall et al. where power cord entry, sensor wire entry and lamp socket wire entry are employed, a sealing arrangement including the known use of closed cell foam seal can be employed to seal around those entry points in providing a watertight, sealed housing.

- 2) In considering claim 9, Park et al., Papineau, Ferraro, Rodhall et al. and Crane et al. made obvious all of the claimed subject matter as in claims 1-2 and 6-7.
- 3) In considering claim 10, Park et al., Papineau, Ferraro, Rodhall et al. and Crane et al. made obvious all of the claimed subject matter as in claim 9, plus the consideration of claim 8.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) Hart, US pat. #5,299,971  
--A similar outdoor motion sensing light.
- 2) Linnenkamp et al., US pat. #5,167,445  
--A known use of closed cell foam seal for waterproofing (Abstract).
- 3) Fencl et al., US pat. #6,372,186B1  
--A known use of closed cell foam for weatherproofing (col. 7, lines 24-30).
- 4) Diong et al., US pat. #5,489,891  
--A similar motion sensing light having power cord (Fig. 1).
- 5) Huang et al., US pat. #5,575,557

--A similar motion sensing light for outdoor use.

5) Boulos et al., US pat. #5,442,532

--Another similar motion sensing light for outdoor use.

6) Hoberman et al., US pat. #5,015,994

--A similar motion sensing light.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin C. Lee whose telephone number is (703) 306-4223.

The examiner can normally be reached on Mon -Fri 11:00Am-7:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (703) 308-6730. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.

  
Benjamin C. Lee  
Primary Examiner  
Art Unit 2632

B.L.  
June 14, 2003